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Paper No. 6

In re Application of
Mamoru Susaki
Application No. 09/755,058
Filed: January 8, 2001
Attorney Docket No. IIZ 120

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: DECISION ON PETITION
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The paper filed on December 16, 2002 is construed as a petition under 37 CFR 1.181 by which petitioner requests withdrawal of the holding that this application stands abandoned for failure to file a reply to the Office letter dated February 1, 2002. No fee is required for the petition.

The petition is granted.

Petitioner alleges that the application is not abandoned because a timely reply to the Office letter in question was in fact filed. Petitioner supports this allegation by including a copy of the reply, and a copy of a filing receipt for the reply which shows that the reply was actually received in the Office on February 15, 2002. It is clear from this showing that the application is not in fact abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on February 15, 2002.

PETITION GRANTED.

E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

Rabin & Champagne, PC
1101 14TH Street, NW
Suite 500
Washington, DC 20005